

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

ETHICON WAVE 3 CASES LISTED IN  
EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF  
MARC TOGLIA, M.D. FOR WAVE 3**

Comes now, the Plaintiffs, and hereby adopt and incorporate by reference the Daubert motion filed against Marc Toglia for Ethicon Wave 1, Dkt. 2023 (motion), 2028 (memorandum in support). Plaintiffs respectfully request that the Court exclude Marc Toglia's testimony, for the reasons expressed in the Wave 1 briefing. This notice applies to the following Wave 3 cases identified in Exhibit A attached hereto.

Dated: September 16, 2016

Respectfully submitted,

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## **EXHIBIT A**

Warner, Leslie	2:12-cv-02199
Lyszcarz, Karen	2:12-cv-02689
Page, Terry	2:12-cv-02884
White, Kelly	2:12-cv-03129

**CERTIFICATE OF SERVICE**

I hereby certify that on September 16, 2016, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ D. Renee Baggett  
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